

Perry Hoffman & Associates P.C.  
108 Wilmot Road, Suite 330  
Deerfield, IL 60015-5118

Phone: (847) 809-4285  
Fax: (847) 607-0580  
Cell: (847) 867-2763

Email: pjhoffman@comcast.net

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| Commissioner for Patents,<br>ATTN: Ex. Daniel R. SELLERS | (703) 872-9306 | (571) 272-7528 |

FROM: Perry J. Hoffman 

PHONE: (847) 809-4285

NUMBER OF PAGES, INCLUDING COVER: 11

**NOTES/COMMENTS:****RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT****DATED JUNE 15, 2005**Appl. No.: 09/513,656Confirmation No.: 6832Applicant: FILO, et al.Filed: February 25, 2000Title: SOUND AND IMAGE PRODUCING SYSTEMTC/A.U.: 2644Examiner: Daniel R. SELLERSDocket No.: Please change from 090455-9313 to 1-002

As requested by telephone message from Ex. Daniel Sellers today, the attached is a Response to the NOTICE OF NON-COMPLIANT AMENDMENT DATED JUNE 15, 2005 re Office Action of November 17, 2004 and the Amendment thereto. A complete listing of the Claims is hereby submitted with Claim 37 cancelled. The corrected section is provided in accordance with the attached Notice, Applicants need not resubmit the entire Amendment. No fee is required.

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JUN 20 2005

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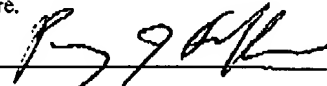
**AMENDMENT**

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/513,656  
Confirmation No. : 6832  
Applicant : Andrew S. Filo et al.  
  
Filed : February 25, 2000  
Title : SOUND AND IMAGE PRODUCING  
SYSTEM

I, Perry Hoffman, hereby certify that this correspondence is being transmitted via facsimile to Official FAX No. (703) 872-9306 for Ex. Daniel Sellers, on the date of my signature.

Signature:



Date of Signature: June 20, 2005

TC/A.U. : 3644  
Examiner : Sellers, Daniel R.

Docket No. : 090455-9313 (now 1-002)

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**  
**DATED JUNE 15, 2005**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

[X] AUTHORIZATION TO PAY AND PETITION FOR THE ACCEPTANCE OF ANY NECESSARY FEES: If any charges or fees must be paid in connection with the following Communication (including but not limited to the payment of issue fees), they may be paid out of our deposit account No. 50-3286. If this payment also requires a Petition, please construe this authorization to pay as the necessary Petition which is required to accompany the payment.

Dear Sir:

This is in response to the NOTICE OF NON-COMPLIANT AMENDMENT DATED JUNE 15, 2005 re Office Action of November 17, 2004 and Amendment thereto. A complete listing of the Claims is hereby submitted with Claim 37 cancelled. The corrected section is provided in accordance with the Notice, Applicants need not resubmit the entire Amendment. No fee is required. Please amend the above-identified application further to the prior Amendment as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

# **Notice of Non-Compliant Amendment (37 CFR 1.121)**

Application No.

09/513,856

Examiner

Daniel R. Sellers

Applicant(s)

FILO ET AL.

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 21 March 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

## **THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: A complete listing of all the claims is not present. A preliminary amendment (11/06/2000) added a 37<sup>th</sup> claim and it is not present in the amendment.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

## **TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

## **Failure to timely respond** to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

**SINH TRAN**

**SUPERVISORY PATENT EXAMINER**

Part of Paper No. 20050611

U.S. Patent and Trademark Office  
PTOL-324 (11-04)

Notice of Non-Compliant Amendment (37 CFR 1.121)